

**ORANGE ZONING COMMISSION**  
**MINUTES OF THE MARCH 1, 2022 MEETING**

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, March 1, 2022, at 7:00 p.m., lower level, Orange Town Hall, 617 Orange Center Road, Orange, Connecticut.

Oscar Parente, Esq., Chairman  
Judy Smith, Vice-Chairman  
Paul Kaplan, Esq., Secretary  
Kevin Cornell, Esq., P.E.  
Tom Torrenti, P.E.

Jack Demirjian, Zoning Enforcement Officer  
Tamara Trantales, Administrative Assistant  
Robin Gengaro, Recording Stenographer

Chairman Parente welcomed everyone to the meeting. He asked those seated at the table to introduce themselves for the record.

Review of the Minutes from the February 15, 2022 meeting.

A motion was made by Paul Kaplan and seconded by Judy Smith to accept and approve the Minutes from the February 15, 2022 meeting, as amended. The motion carried with the vote recorded as follows: Kaplan, aye; Smith, aye; Torrenti, aye; Cornell, aye; Parente, abstain. The vote was recorded as 4-0-1 to accept and approve the motion.

Zoning Enforcement Officer Jack Demirjian stated that the commission would review the Minutes from the Special Meeting at the next regularly scheduled meeting.

There were no additional comments.

Old Business.

None

New Business.

Zoning Enforcement Officer Jack Demirjian stated that he has received several calls regarding electric vehicle charging stations. He noted that they require a building permit. ZEO Demirjian asked the commission if they would like him to handle them administratively or would the commission like to review them. He stated that electric vehicle charging stations are not addressed in the zoning regulations. Discussion ensued.

Commissioner Cornell stated that they are usually freestanding on commercial properties. He noted that they do not cause a loss of parking spaces. Chairman Parente noted that they are sometimes part of a Site Plan. After a brief discussion, the commission stated that ZEO Demirjian could handle them administratively.

There were no additional comments.

2022 MAR 10 AM 10:38  
Orange Zoning Commission  
Town Hall, 617 Orange Center Road  
Orange, Connecticut 06487

Report of the Zoning Enforcement Officer.

ZEO Demirjian stated that Avangrid, 100 Marsh Hill Road, submitted a Site Plan for an environmental storage building. It was noted that all pertinent department heads have reviewed it. After a brief discussion, there were no additional comments.

ZEO Demirjian stated that the Affordable Housing Special Meeting seemed to go well. He noted that when he receives input from the Southern Connecticut Regional Council of Governments (SCRCOG), he will inform the commission. ZEO Demirjian noted that SCRCOG sent him an online recording of the meeting. Discussion ensued. Chairman Parente asked if the zoning bylaws allow the commission to appoint a committee. After a brief discussion, Chairman Parente stated that the commission could schedule a Special Meeting to discuss the information, if necessary. ZEO Demirjian stated that he would check the bylaws to see if a committee is allowed.

There were no additional comments.

PUBLIC HEARINGS: 7:00 p.m. – (2)

**RESUBDIVISION APPLICATION- Submitted by Sunrise Hill Estates, LLC. For the Re-subdivision of Lot 4 of Sunrise Hill Estates. To create a single-family residential lot from an existing lot comprised of 2.85 acres in the Residential (RES) Zone at the end of Skyview Road. (Continued from 2/15/22 meeting.)**

Joe Porto, Esq., Parrett, Porto, Parese, & Colwell, Hamden, stated that he is representing the applicant for this re-subdivision application. Attorney Porto stated that this proposal meets all the bulk standards. He noted that at the last TPZC meeting, neighbors stated that the road has not been completed yet. Attorney Porto stated that his client has agreed to follow a written schedule to patch the binder. He explained the schedule to the commission. He noted that asphalt plants are closed for the winter. Discussion ensued.

Zoning Enforcement Officer Jack Demirjian stated that he has met with Robert Sachs, the developer. Mr. Sachs stated that the road would be finished after construction is completed. ZEO Demirjian noted that he sent the schedule to one of the concerned neighbors and asked him to distribute it among the other neighbors.

Chairman Parente asked ZEO Demirjian if all pertinent signoffs have been obtained. ZEO Demirjian replied affirmatively.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to close the public hearing. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye; Torrenti, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

Chairman Parente stated that he did not see a problem with this re-subdivision. ZEO Demirjian noted that the lot has a detention pond, which is the property owner's responsibility to maintain.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to accept and approve the *RESUBDIVISION APPLICATION* to create a single-family residential lot. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye; Torrenti, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

There were no additional comments.

**SITE PLAN APPLICATION- Submitted by DGA, LLC. For property known as 321 Boston Post Road. To construct an approximately 1,188 square foot outdoor patio. AN APPLICATION FOR SPECIAL EXCEPTION, PERMIT OR USE has also been submitted in conjunction with this application per sections 383-143.4 & 383-175 of the Orange Zoning Regulations.**

Paul Kaplan read the legal notice into the record.

Joe Kubic, Esq., Harlow, Adams & Friedman, P.C., stated that he is representing 321 Boston Post Road. The applicant is seeking an outdoor patio as a Special Use. Attorney Kubic noted that the applicant was granted an approval from Wetlands.

John Wicko, Architect, 58 Prospect Street, Milford, stated that the Governor's Executive Order is in effect until March 31<sup>st</sup> of this year. He stated that outdoor dining would be "as of right" beginning on April 1, 2022. Mr. Wicko noted that the applicant wants to proceed now so that the outdoor patio would be ready for outdoor dining this year.

Attorney Kubic presented a brief history of the site and distributed information to the commission. He noted that Chip's Restaurant has been in existence since 1966. A brief discussion ensued.

Attorney Kubic explained that the KenMike office building is a mixed-use property adjacent to 321 Boston Post Road. He stated that he has spoken with the Fire Marshal and the Traffic Commission. He expressed his belief that traffic circulation would be safer with this proposal.

Attorney Kubic explained that there are two different uses on this one parcel. It has not been legally subdivided; it is legally one parcel. He noted that the Assessor called it a "courtesy split". Chip's and the KenMike building are taxed separately. A brief discussion ensued. Attorney Kubic stated that Chip's has adequate parking yet has access to a mixed-use parking lot. It was noted that that each business on the property has different peak hours. Discussion ensued regarding parking spaces. ZEO Demirjian noted that the parking spaces need to be double striped.

Jeff Gordon, Codespoti & Associates, stated that there would be pedestrian access in the front of the building. There would be a natural flow for parking lot traffic. Chairman Parente noted that they are not enlarging a non-conformity. Discussion ensued.

Mr. Wicko stated that four seats are being removed to accommodate the new sliding doors, which would lead to the patio. Mr. Wicko stated that the patio area would be supervised by the hostess. The patio is also accessible from the parking area.

Chairman Parente stated that the zoning regulations prohibit food and/or drink preparation in the outdoor seating area. It was noted that all preparations would be done inside.

Discussion ensued regarding the safety of pedestrians in the parking lot. ZEO Demirjian stated that the Fire Marshal and the Police have signed off on the application.

Chairman Parente asked if there were any questions or comments from the audience. There were none.

A motion was made by Paul Kaplan and seconded by Judy Smith to close the public hearing. The motion carried with the vote recorded as follows: Kaplan, aye; Smith, aye; Torrenti, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

Chairman Parente stated that Section 383-175 solves the parking problem. A brief discussion ensued. Commissioner Kaplan noted that parking is accessible. The peak parking occurs at different times of the day. Commissioner Smith noted that parking is shared during the weekends.

Commissioner Cornell stated that the Site Plan before them this evening is better than what is existing. Commissioner Smith agreed that this is a nice proposal. Chairman Parente stated that cars will not get close to the patio. ZEO Demirjian commented that he would inquire about the lighting as it was not discussed during the public hearing.

A motion was made by Paul Kaplan and seconded by Tom Torrenti to accept and approve the Site Plan and Special Use application for 321 Boston Post Road. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to adjourn the meeting. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye; Torrenti, aye; Parente, aye. The vote was recorded as 5-0 to accept and approve the motion.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Tamara Trantales,  
Administrative Assistant